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**APPLICATION OF**

**VIRGINIA ELECTRIC AND POWER COMPANY**

**CASE NO. PUE-2001-00664**

**To revise its cogeneration tariff pursuant  
to PURPA Section 210**

**HEARING EXAMINER'S RULING**

**August 30, 2002**

On March 18, 2002, Virginia Electric and Power Company ("Virginia Power") filed with the Commission an application, written testimony, and exhibits to support its proposal to change its cogeneration and small power production payments under Schedule 19. The proposed Schedule 19 utilizes market-based pricing rather than administratively-determined avoided costs to determine its payments to qualifying facilities for energy purchased under the Public Utility Regulatory Policies Act of 1978 ("PURPA"). Virginia Power further proposes that this schedule remain in effect for two years (2002 and 2003).

By order entered on June 13, 2002, the Commission scheduled a hearing on the application, established a procedural schedule for filing testimony and evidence, and appointed a Hearing Examiner to hear the case.

On May 6, 2002, Tractebel North America ("Tractebel") filed a Petition for Relief, and on July 3, 2002, it filed a Notice of Participation in this case.

On August 30, 2002, Tractebel filed a Motion to Withdraw Notice of Participation, Petition and Complaint. In its Motion, Tractebel requests leave of the Commission to withdraw from participation in this matter and approval of the voluntary withdrawal of its previously filed petition and complaint.

Good cause having been shown, I find that Tractebel's Motion should be, and it is hereby, granted.

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Michael D. Thomas  
Hearing Examiner